

Annual 47 C.F.R. § 64.2009(e) CPNI Certification

EB Docket 06-36

Annual 64.2009(e) CPNI Certification for 2018

Name of company covered by this certification: **Ptera Inc.**

Form 499 Filer ID: **830799**

Name of signatory: **James Wilson**

Title of signatory: **Chief Executive Officer**

I, James Wilson, certify that I am an officer of Ptera Inc. (collectively, "the Company"), and acting as an agent of the Company, that I have personal knowledge that the company has established operating procedures that are adequate to ensure compliance with the Commission's CPNI rules. *See 47 C.F.R. § 64.2001 et seq.*

The Company has not taken any actions (proceedings instituted or petitions filed by a company at either state commissions, the court system, or at the Federal Communications Commission) against data brokers during 2018. The Company is not aware of any attempt by pretexters to access CPNI held by the Company during 2018.

The Company has not received any customer complaints in 2018 concerning the unauthorized release of CPNI. Nor is the Company aware of any instances involving unauthorized disclosure of CPNI or improper access of CPNI by Company employees or access by individuals not authorized to receive or view the information.

Printed Name: James Wilson Position: Chief Executive Officer

Signature: James K Wilson Date: Feb 28, 2019

Ptera's CPNI Policy

I) USE OF CPNI WITHOUT CUSTOMER APPROVAL

In certain instances, Ptera may use, disclose or permit access to CPNI without having to obtain customer approval, including:

- 1) To initiate, render, bill and collect for telecommunications services;
- 2) To protect the rights or property of Ptera, or to protect users or other carriers from fraudulent, abusive, or illegal use of, or subscription to, such service;
- 3) To market services within the package of services to which the customer already subscribes; and,
- 4) To complete inside wiring installation, maintenance, and repair services.

II) USE OF CPNI WHEN CUSTOMER APPROVAL IS REQUIRED

If Ptera's use of CPNI does not fall within one of the exception for which no notice is required, then Ptera will acquire customer approval before proceeding with such use. Ptera will utilize either the "Opt-Out" or "Opt-In" method at its discretion, each of which is described in greater detail below. Prior to any solicitation for customer approval, Ptera will provide notification to the customer of the customer's right to restrict use of, disclosure of, and access to that customer's CPNI. Ptera's solicitation for use of CPNI will be proximate to the notification of a customer's CPNI rights.

A. Notification Requirements Generally

- 1) The notification shall state that the customer has the right, and that Ptera has the duty, under federal law, to protect the confidentiality of the customer's CPNI.
- 2) The notification shall specify the types of information that constitute CPNI and the specific entities that will receive the CPNI, describe the purpose for the which the CPNI will be used and inform the customer of their right to disapprove those uses, and deny or withdraw access to CPNI at any time.
- 3) The notification shall advise the customer of the precise steps the customer must take in order to grant or deny access to CPNI, and shall clearly state that a denial of approval will not affect the provision of any services to which the customers subscribes. Ptera may state that the customer's approval to use CPNI may enhance the carrier's ability to offer products and services tailored to the customer's need.

- c) not count electronic notices that were returned as undeliverable as having satisfied the Notification requirement.
- d) ensure that the subject line clearly identifies the subject matter of the e-mail.
- e) make available to every customer (including but not limited to those without Internet access and disabled customers) a method to opt-out that is of no additional cost to the customer and available 24 hours a day, seven days a week.

C. Opt-In Approval

Opt-In approval means that Ptera will obtain from the customer affirmative, express consent allowing the requested CPNI usage, disclosure or access after the customer is provided appropriate notification of the carrier's request.

D. Oral Notification

Ptera will provide notification to obtain opt-out approval through electronic or written methods and not by oral methods, except that Ptera may use oral notice to obtain limited, one time use of CPNI for inbound and outbound customer telephone contacts for the duration of the call, regardless of whether Ptera uses opt-out or opt-in approval based on the nature of the contact. When using the one time oral notice, the Ptera representative will clearly communicate the same information that is provided in an Ptera written notice; however, the Ptera representative need not advise customers that: (1) Ptera may share CPNI with their affiliates or third parties and need not name those entities if the limited CPNI usage will not result in use by or disclosure to an affiliate or third party; (2) certain steps are necessary to approval or restrict use of CPNI as long as the representative makes it clear that the customer can deny access for the call; and, (3) previous opt-out decisions require no further action to maintain the opt-out election.

Notation will be made in the customer records of any one-time oral notice to the customer and the customer's acceptance or rejection of one-time use of CPNI.

E. Subsequent Notices

Ptera will honor its customers' CPNI elections unless and until a customer affirmatively changes his or her election. Following a customer's election to withhold approval of CPNI usage, Ptera may subsequently attempt to secure the customer's approval to use, disclose, or permit access to CPNI as frequently as Ptera deems appropriate, however, Ptera will not force customers to opt-out repeatedly in an attempt to wear the customer down and obtain an inadvertent approval. Upon receipt of written request by the customer, Ptera will disclose CPNI to the customer.

Employee Acknowledgement

I, _____, hereby acknowledge that I have reviewed and are familiar with Ptera's CPNI Policy ("Policy"). I acknowledge that I understand the obligations that those rules impose upon me in protecting customer information and that I am obligated to report any violation in that Policy. I further attest that I have been given a copy of Ptera's CPNI Policy and that I have been made aware that disciplinary action may be taken if I fail to abide by the obligations in the Policy including possible termination from employment.

(Signature and Date)